

FORM SB/64

#4

<b>PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)</b>		Docket Number EN11021
First Named Inventor:	Hermann	
Application Number:	09/730,691	
Filed:	December 6, 2000	
Title:	INTELLIGENT POWER SUPPLY AND SYSTEM	
<p>Attention: Mail Stop Petition            Commissioner for Patents            P. O. Box 1450            Alexandria, VA 22313-1450</p> <p><b>FAX RECEIVED</b>  <b>JUN 16 2003</b>  <b>PETITIONS OFFICE</b></p>		
<p><b>Note:</b> If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.</p> <p>The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.</p>		
<b>APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION</b>		
<p><b>NOTE:</b> A grantable petition requires the following items:</p> <ul style="list-style-type: none"> <li>(1) Petition fee;</li> <li>(2) Reply and/or issue fee;</li> <li>(3) Terminal disclaimer with disclaimer fee—required for all utility and plant applications filed before June 8, 1995, and for all design applications; and</li> <li>(4) Adequate showing of the cause of unavoidable delay.</li> </ul>		
<p>1. Petition fee</p> <p><input type="checkbox"/> Small entity – fee \$ _____ (37 CFR 1.17(l)). Applicant claims small entity status. See 37 CFR 1.27.</p> <p><input checked="" type="checkbox"/> Other than small entity – fee \$ <u>1300.00</u></p>		
<p>2. Reply and/or fee</p> <p>A. The reply and/or fee to the above-noted Office action in the form of  <u>CORRECTED DRAWINGS</u> (identify type of reply)</p> <p><input type="checkbox"/> has been filed previously on _____</p> <p><input checked="" type="checkbox"/> is enclosed herewith</p> <p>B. The issue fee of \$ _____</p> <p><input type="checkbox"/> has been paid previously on _____</p> <p><input type="checkbox"/> is enclosed herewith.</p>		

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3. Terminal Disclaimer with disclaimer fee
- Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
- A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ \_\_\_\_\_ For a small entity or  
\$ \_\_\_\_\_ For other than a small entity) disclaiming the required period of time is enclosed herewith  
(See PTO/SB/63)
4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c)(iii)(C) and (D))]
5.  The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 502117

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

6/16/03  
Date

Signature

**FAX RECEIVED**

770-338-3655  
Telephone Number

JUN 16 2003

Philip H. Burrus, IV

Typed or printed name

**PETITIONS OFFICE**

Motorola Inc.

**Customer Number**

Enclosures:

- Fee Payment  
 Reply  
 Terminal Disclaimer Form  
 Additional sheets containing statements establishing unintentional delay

**CERTIFICATE OF MAILING OR TRANSMISSION (37 CFR 1.8(a))**

I hereby certify that this correspondence is being:

- Deposited with the United States Postal Service on the date shown below with sufficient postage as first-class Mail in an envelope addressed to:
- Transmitted by facsimile on the date shown below to the United States Patent and Trademark office at (703) 308-6916.
- Deposited with the United States Postal Service on the date shown below with sufficient postage as Express Mail in an envelope addressed to: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450: Express Mail Label No. \_\_\_\_\_

6/16/03

Date

Signature

Philip H. Burrus, IV

Typed or printed name of person signing certificate

U.S.S.N. 09/730,691

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

*Serial No:* 09/730,691  
*Examiner:*  
*Art Group:* 2635  
*Reference No.:* EN11021  
*Appn. Filed:* December 6, 2000  
*Applicants:* Herrmann, John E.

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PETITIONS OFFICE

*Title:* Intelligent Power Supply and Cable System

June 16, 2003

Assistant Commissioner for Patents  
P. O. Box 1450, Alexandria, VA 22313-1450

**Petition to Revive due to Unintentional Abandonment**

Sir:

With the enclosed materials, Applicant hereby petitions to revive this application that has gone unintentionally abandoned. The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional, as the following paragraphs will explain.

Applicant filed the instant application in December of 2000 with informal drawings. Due to an inadvertent drafting error, the margin of FIG. 3 was less than one inch. Consequently, Applicant received a Notice to File Corrected Application Papers, which was mailed January 23, 2001. The Notice to File Corrected Application Papers was stapled to the bottom of the Filing Receipt, under the foreign filing license. Applicant accidentally failed to see this Notice stapled on the back of the foreign filing license.

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Having not received an Office Action, Applicant mailed a Status Inquiry to the USPTO on September 25, 2002. In response, Applicant received a status letter, mailed November 21, 2002, indicating that the Application would be examined within 3 months. The status reply did not mention that the case was abandoned. Consequently, Applicant believed all was in order with the application. Applicant then received the Notice of Abandonment on June 16 of this year, from which this petition emanates.

Included herein with this response, for your reference, are the following:

1. A copy of the drawings as originally filed;
2. A copy of the Notice to File Corrected Application Papers;
3. Revised drawings with proper margins;
4. A copy of the Status Request filed by Applicant;
5. A copy of the Status Response from the USPTO; and
6. A copy of the Notice of Abandonment.

Applicants kindly thank the Commissioner for consideration of this petition. The Commissioner is hereby authorized to charge the necessary fee (\$130) to Deposit Account No. 50-0304.

Respectfully submitted,



Philip H. Burris, IV  
Attorney for Applicants  
Registration No. 45,432  
770-338-3614 (fax 3557)

enclosures